

EXHIBIT A

EEOC Form 5 (11/09)

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| CHARGE OF DISCRIMINATION | | Charge Presented To: _____ Agency(ies) Charge No(s): _____ | |
| This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form. | | <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC 510-2022-07668 | |
| Florida Commission On Human Relations and EEOC | | | |
| State or local Agency, if any | | | |
| Name (indicate Mr., Ms., Mrs.) Ms. Racquel A. Roache | | Home Phone (Incl. Area Code) [REDACTED] | Date of Birth [REDACTED] |
| Street Address 3249 Coral Ridge Drive Apt 3249 | | City, State and ZIP Code Coral Springs, Florida 33065 | |
| Email [REDACTED] | | | |
| Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.) | | | |
| Name Baptist Health South Florida d/b/a Boca Raton Regional Hospital | | No. Employees, Members 15+ | Phone No. (Include Area Code) 561-955-7100 |
| Street Address 800 Meadows Road | | City, State and ZIP Code Boca Raton, FL 33486 | |
| Email lincolnm@baptisthealth.com | | | |
| Name (Representative) Lincoln Mendez, President | | No. Employees, Members 15+ | Phone No. (Include Area Code) [REDACTED] |
| Street Address [REDACTED] | | City, State and ZIP Code [REDACTED] | |
| Email [REDACTED] | | | |
| DISCRIMINATION BASED ON (Check appropriate box(es).) <input type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input checked="" type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input checked="" type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> GENETIC INFORMATION <input type="checkbox"/> OTHER (Specify) _____ | | DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 09/01/2021 11/7/2021 <input checked="" type="checkbox"/> CONTINUING ACTION | |

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

Ms. Roache, a Christian (Pentecostal) woman, worked for BHSF, most recently as a pharmacist, from May 2018, until her unlawful and retaliatory termination on November 7, 2021. Throughout her tenure, Ms. Roache had no significant history of attendance, tardiness, or disciplinary issues. In fact, Ms. Roache worked without issue until BHSF instituted a wholly unlawful vaccine mandate which did not allow for proper religious exemptions and accommodations in violation of Title VII, the FCRA, and Fla. Stat. § 381.00317 *et seq.* When Ms. Roache submitted a religious exemption and objected to BHSF's illegal mandate, BHSF terminated her, in violation of the law.

Accordingly, around late Fall of 2021, BHSF recklessly instituted a mandatory vaccine mandate without properly advising its employees of their full rights, as many states had passed certain employer vaccine protections. In order to stay true to her religious beliefs, on September 30, 2021, Ms. Roache submitted an exemption BHSF's vaccine mandate. Just a few days later, Benefits Representative, Lisa Miranda-Sixto, informed Ms. Roache that her exemption had been denied due to the fact that it was not submitted by BHSF's fabricated "deadline" of September 12, 2021. In response to this, Ms. Roache objected that the denial based on timing was unlawful, pursuant to the newly passed Fla. Stat. § 381.00317 *et seq* as well as Title VII/FCRA. Ms. Roache's objections are considered "protected activity" under Title VII, the FCRA. Shockingly, BHSF ignored Ms. Roache's objections to its unlawful denial, and continued to retaliate against her until the day of her illegal firing.

Throughout October 2021, Ms. Roache attempted to appeal BHSF's capricious and discriminatory denial of her submitted religious exemption several times, but to no avail. As such, after illegally denying her protected request, on November 1, 2021, BHSF subsequently placed Ms. Roache on an unpaid leave of absence as a result of her religious exemption request and unvaccinated status. This is clear retaliation. It thus comes as no surprise that just a few days later, on November 7, 2021, BHSF then terminated Ms. Roache in violation of the law. It is

clear that BHSF's vaccine mandate did not comply with Florida law. Furthermore, at no point did BHSF engage in the interactive process required under Title VII/FCRA to assess whether a religious accommodation should be granted to Ms. Roache. Instead, BHSF unilaterally denied the accommodation of an employee due to an artificial deadline without providing her any kind of explanation or alternative accommodations. This will not be tolerated in 2022.

Title VII and the FCRA prohibit employment practices that discriminate against any individual on the basis of his or her religion. *See, e.g., Smart v. City of Miami Beach, Fla.*, No. 10-21667-CIV, 2011 WL 5825654, at *3 (S.D. Fla. Nov. 6, 2011). Discrete acts of such discrimination can include, but are not limited to, termination, failure to promote, and refusal to hire. *See id.* Courts have interpreted Title VII's prohibition against religious discrimination to preclude employers such as Macy's from discriminating against an employee because of the employee's religion as well as because the employee fails to comply with the employer's religion. *See, e.g., Pedreira v. Ky. Baptist Homes for Children, Inc.*, 579 F.3d 722 (6th Cir. 2009). Title VII is a neutral provision which entitles every employee to a reasonable accommodation of his or her religious beliefs and practices. *See Telfair v. Federal Express Corp.*, 934 F.Supp.2d 1368, 1381 (S.D. Fla. 2013); *E.E.O.C. v. Abercrombie & Fitch Stores, Inc.*, 135 S. Ct. 2028 (2015). Here, BHSF refused to provide such reasonable accommodation. Had BHSF engaged in even the most basic interactive process required by Title VII/FCRA and § 381.00317, it would have concluded that allowing Ms. Roache to remain unvaccinated would not be an undue burden on BHSF or its operations. The liability here is clear.

I believe I have been discriminated against based on my religion and retaliation in violation of Title VII/FCRA

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY – When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

08/29/2022


Racquel Roache (Aug 29, 2022 17:24 EDT)

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE
(month, day, year)

Date

Charging Party Signature